

REMARKS/ARGUMENTS

In response to the Office Action mailed June 23, 2008, Applicant amends his application and requests reconsideration. No claims are added or cancelled so that claims 34-42 remain pending.

The Examiner pointed out some confusing language in claim 34, near the end of that claim. In response, the claim has been clarified. The first identification information detector is now described as including identification detectors and the reference to those identification detectors two lines later in the claim is corrected so that each term has proper antecedent basis. The first identification information detector is clearly distinct from its component parts which include identification detectors.

Claim 34 is also amended for clarity and to explain in greater detail the arrangement of resonant tags with respect to playing cards. The explanation is completely supported by the disclosure of the patent application as filed from page 10, line 9 through page 13, line 21. As described there, each of the playing cards includes a plurality of resonant tags, each tag resonating at a different frequency. In one provided example, there are, as is common with many gaming card decks, 54 cards. Resonant tags are provided resonating at eight different frequencies. Thus, taking eight different frequencies, in groups of three, provides 56 different combinations of three frequencies. (The result is obtained by dividing eight factorial (8!) by the product of three factorial (3!) and five factorial (5!).) Thus, in this arrangement each playing card can be uniquely identified by stimulating the card to produce, as echo waves, electromagnetic waves having the three frequencies corresponding to the resonant tags of the card. In the invention, the combinations of frequencies representing each card are recorded in a register so that the analysis collation unit identifies the respective card by comparing the group, i.e., combination, of frequencies of the echo waves to the combinations in the register.

Claims 34-42 were rejected as unpatentable over Soltys et al. (U.S. Patent 6,460,848, hereinafter Soltys) in view of Meissner et al. (U.S. Patent 5,779,546, hereinafter Meissner), and further in view of Vuong et al. (Published U.S. Patent Application 2002/0147042, hereinafter Vuong). This rejection is respectfully traversed.

A fundamental requirement for establishing *prima facie* obviousness is a demonstration that each of the elements of a claim is present in the prior art. The rejection is traversed because that fundamental requirement has not been met here with respect to claim 34, the sole pending independent claim, and, therefore, as to any of claims 34-42.

For the purposes of this Response, Applicant is not disputing the characterizations of Soltys and Meissner in the Office Action. The absence of any argument concerning the disclosures of Soltys and Meissner is not a concession that the elements of the claims for which those two patents were cited are as described in the patent application and meet the portions of the claims mentioned in the Office Action. Applicant reserves the right to challenge the application of one or both of Soltys and Meissner in any further prosecution of this patent application.

In this Response, emphasis is placed upon Vuong and its failure to describe any system, structure, or method that could meet the final portion of claim 34 concerning the card identification information tags as a combination of resonant tags and the further description appearing in the remainder of claim 34.

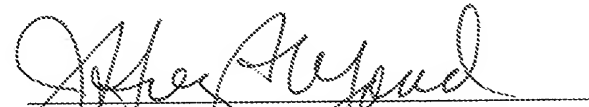
The only potentially pertinent disclosure in Vuong regarding the resonant tag feature of the invention as defined by claim 34 pertains to Vuong's Figure 5, described in paragraphs [0044] and [0058]-[0062]. Those passages simply fail to disclose or suggest that each playing card includes multiple resonant tags providing combinations of echo waves, in response to stimulation, that can be used in combination with a register to identify a particular playing card. In fact, the only pertinent disclosure in the cited passages of Vuong teaches away from the invention as defined by claim 34. Vuong requires that each playing card include a programmable

non-volatile memory, increasing the complexity and cost of the playing cards. See paragraph [0061] of Vuong, particularly on page 5 of Vuong. The playing cards of the claimed invention do not require a programmable memory. The frequencies of the resonant tags are fixed.

Since the combination of Soltys, Meissner, and Vuong cannot establish *prima facie* obviousness as to any pending claim, further discussion with regard to dependent claims 35-42 is not necessary nor provided. Those claims are patentable upon the withdrawal of the rejection of claim 34.

Reconsideration and allowance of claims 34-42 are earnestly solicited.

Respectfully submitted,


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